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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/679,623	10/05/2000	Maki Yukawa	2257-163P	8138

7590

08/18/2004

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EXAMINER

TRAN, KHANH C

ART UNIT	PAPER NUMBER
2631	6

DATE MAILED: 08/18/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/679,623

Applicant(s)

YUKAWA, MAKI

Examiner

Khanh Tran

Art Unit

2631

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1, 2, 7 and 16 is/are rejected.
- 7) ☒ Claim(s) 3-6 and 8-15 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on \_\_\_\_ is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
  - 2) ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |   |  |
|---|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                  | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)            |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date ____ | 6) <input type="checkbox"/> Other: ____  |

### **DETAILED ACTION**

1. The Amendment filed on 06/10/2004 has been entered. Claims 1-16 are pending in this Office action.

### ***Response to Arguments***

2. Applicant's arguments, see Applicant's remarks, pages 14-18, filed on 06/10/2004, with respect to the rejection(s) of claim(s) 1-3, 6-7 under 35 U.S.C 103(a) have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of Sonoda et al. U.S. Patent 6,557,171 B1.

3. Amended drawings are accepted. Previous objection of drawings has been withdrawn.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-2, 7, and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sonoda et al. U.S. Patent 6,557,171 B1.

Regarding claims 1 and 16, illustrated in figure 1 is a digital broadcast receiving apparatus 102 including:

- a reception control unit 130 performing operation in accordance with the control program. In column 19 lines 54-60, the reception control unit 130 judges whether a program map table (PMT) includes a pre-selection control information (PCI). When having judges that the PMT includes a PCI, the reception control unit 130 sends the packet identifiers (PID) to a transport stream (TS) decoder unit 122. In light of the foregoing disclosure, the reception control unit 130 performs function of the parameter set means as claimed in the pending patent application. The PMT corresponds to the claimed information table as described in the original disclosure of the pending application. The PMT is included in the digital broadcast signal;
- in column 20 lines 6-14, the TS decoder unit 122 uses the PID corresponding to the video and audio written in the PMT, wherein the PID is specified by the reception control unit 130. The TS decoder unit 122 outputs the presentation data related to the PID to the A/V decoder unit 123. In light of the foregoing disclosure, the combination of TS decoder unit 122 and A/V decoder unit 123 performs function of the signal extraction means as claimed in the pending patent application;
- as stated above, the reception control unit 130 judges whether a program map table (PMT) includes a pre-selection control information

(PCI). Sonoda et al. does not expressly disclose the reception control unit 130 detecting content change of in the information table as claimed in the pending patent application. In column 20 lines 1-30, because the reception control unit 130 generates the pre-selection information image on the basis of PCI and superimposed the pre-selection information image on the original image, it would have been obvious for one of ordinary skill in the art that presence of the PCI indicates the content change of the PMT as claimed in the pending patent application. The step of judging whether the PMT includes a PCI would corresponds to the claimed detecting content change of information table. The presence or absence of the PCI would correspond to the claimed pre-determined criterion, which claims in claim 2 of the pending application. When judging that the PMT includes a PCI, the reception control unit 130 sends the PID to the TS decoder unit 122, and instructs it to extract the PCI corresponding to PID. The aforementioned disclosure would correspond to the claimed parameter set means detecting the content change and setting the program parameter as claimed the pending patent application.

Regarding claim 2, Sonoda et al. does not expressly disclose the reception control unit 130 monitoring the contents of the information table every pre-determined time. As disclosed in column 19 lines 31-60, with the user input, the reception control

unit 130 deletes the contents of the system table storage unit 127, which stores the PMT. Then, the reception control unit 130 performs the judging to determine if the PCI is included in the PMT. In light of the foregoing disclosure, it would have been obvious for one of ordinary skill in the art that the reception control unit 130 would perform monitoring the PMT for every new user input. That step would correspond to the claimed parameter set means monitoring the contents of the information table every pre-determined time. As recited in claim 1, the presence or absence of the PCI constitutes the claimed pre-determine criterion.

Regarding claim 7, figure 1 shows a broadcast route 103 between the transmitter and receiver. The received digital broadcast signal is directly received from outside.

### ***Allowable Subject Matter***

5. Claims 3-6 and 8-15 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

### ***Conclusion***

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Chiba U.S. Patent 6,604,215 B1 discloses "Digital Broadcast Receiver and Method for Controlling Reception Thereby".

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9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Khanh Tran whose telephone number is 703-305-2384. The examiner can normally be reached on Tuesday - Friday from 08:00 AM - 05:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mohammad Ghayour can be reached on 703-306-3034. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

KCT

TESFALDET BOCURE  
PRIMARY EXAMINER

